

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

ITV DIRECT, INC.,
Plaintiff,
v.
HEALTHY SOLUTIONS, L.L.C., et al.,
Defendants.
CAPPSEALS, INC.,
Plaintiff-in-Intervention,
v.
HEALTHY SOLUTIONS, L.L.C., d/b/a
DIRECT BUSINESS CONCEPTS; ITV
DIRECT, INC.; and DIRECT
FULFILLMENT, LLC,
Intervenor-Defendants.

Civil Action No. 04-CV-10421-JLT

**CAPPSEALS, INC.’S MOTION FOR LEAVE TO SUBMIT A REPLY MEMORANDUM
IN FURTHER SUPPORT OF ITS
MOTION FOR SANCTIONS**

Plaintiff-in-Intervention Cappseals, Inc. (hereinafter “Cappseals”) respectfully moves this Court for leave to file a Reply Memorandum, in further support of Cappseals’ Motion for Sanctions (Docket No. 170). Specifically, Cappseals states that certain issues raised by ITV Direct Inc.’s Opposition (Docket No. 176) warrant clarification. Cappseals also asserts that the narrow issues that will be addressed within its Reply Memorandum will assist the Court in analyzing the requested relief. Counsel for the parties have conferred and ITV Direct does not oppose this Motion.

WHEREFORE, Cappseals requests that the Court grant it leave to file a Reply Memorandum.

Respectfully submitted,
CAPPSEALS, INC.
By its attorneys,

/s/ Scott A. Silverman
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DATED: December 8, 2006

LOCAL RULE 7.1 CERTIFICATION

I, Scott A. Silverman, counsel for moving party Cappseals, Inc., hereby certify that I have conferred with counsel for ITV Direct, Inc. in a good faith attempt to resolve or narrow the issues raised in this motion. Counsel for ITV Direct has agreed not to oppose Cappseals' request for leave to reply.

/s/ Scott A. Silverman
Scott Silverman

CERTIFICATE OF SERVICE

I hereby certify that true and accurate copies of the foregoing Cappseals, Inc.'s Motion for Leave to Reply was served on all counsel of record by electronic notification.

/s/ Scott A. Silverman

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